

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit: 2131
Geoffrey B. Rhoads Conf. No.: 1809
Application No.: 10/658,808
Filed: September 8, 2003 **Via Electronic Filing**
For: Method for Increasing the Functionality of
a Media Player/Recorder Device or an
Application Program
Examiner: S. Chen
Date: July 19, 2010

Response to Notification
of Non-Compliant Appeal Brief (37 CFR 41.37)

Mail Stop Appeal Brief – Patents
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Sir:

This paper is responsive to the June 29, 2010 Notification of Non-Compliant Appeal Brief (37 CFR 41.37). The Notification requested a mapping of claim 39 to the specification by page and line number.

*In the Appeal Brief, please supplement the “Summary of Claimed Subject Matter” with the following:

SUMMARY OF CLAIMED SUBJECT MATTER

Claim 39 recites a method for utilizing a title signal contained in a computer readable set of instructions through a comparison of the title signal to a player signal stored in, or available from, a personal computing device [see, e.g., U.S. Patent No. 5,862,260 at Col. 27, lines 26-52; Col. 94, lines 28-38; and Col. 41, lines 54 - Col. 42, line 27]. The method includes: providing the computer readable set of instructions having the title signal, in which the computer readable set of instructions represents an application program executable by the personal computing device [see, e.g., U.S. Patent No. 5,862,260 at Col. 41, lines 54-Col. 42, line 27; Col. 27, lines 25-52; Col. 92, lines 4 – 20, Col. 94, lines 28-47]; detecting the title signal in the computer readable set of instructions, in which the personal computing device comprises a software operating system for launching the application program, and wherein the act of detecting is performed by the software operating system operating on a multi-purpose electronic processor [see, e.g., U.S. Patent No. 5,862,260 at Col. 41, lines 54 - Col. 42, line 27, and Col. 94, lines 28-38; see also Col. 15, lines 45-54]; comparing the title signal to the player signal; and performing an action based upon the comparison [see, e.g., U.S. Patent No. 5,862,260 at Col. 94, lines 28-38, Col. 27, lines 26-52, and Col. 41, lines 54-Col. 42, line 27]. The 5,862,260 patent is incorporated by reference into the present application. See the subject specification at page 1, line 2 and page 7, lines 20-22.

CONCLUSION AND REQUEST FOR REVERSAL

Appellants respectfully request the Board to reverse the final rejection of the pending claims.

Respectfully submitted,

Date: July 19, 2010

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